

Sen. Tory Rocca  
Chairman  
Senate Regulatory Reform Committee  
Michigan Legislature  
Farnum Building, Room 110  
125 W. Allegan Street  
Lansing, MI 48933  
[SenTRocca@senate.michigan.gov](mailto:SenTRocca@senate.michigan.gov)

April 26, 2012

**RE: Written Testimony for April 26, 2012 Hearing of Senate Regulatory Reform Committee on HB 4561**

Dear Chairman Rocca:

The Building Codes Assistance Project (BCAP) would like to express its support for the State of Michigan to maintain construction code update cycles that are consistent with the update cycles of U.S. national model construction codes. Doing so will protect consumer safety by providing the highest quality codes, standards, products, and services for all Michigan households and businesses concerned with the safety and performance of the building environment.

BCAP is an ongoing initiative of the Alliance to Save Energy, a nonprofit organization that promotes energy efficiency worldwide through research, education and advocacy. BCAP strives to be the premier resource for energy code support, coordination, technical assistance, news, and information. Our mission is to reduce the energy consumed in the construction and operations of buildings by working with national, state, and local governments and other stakeholders to promote the adoption and implementation of building codes and standards.

**Updating National Model Construction Codes**

The State of Michigan adopts and modifies its codes and standards developed and published by a number of not-for-profit codes and standards organizations such as the International Code Council (ICC), the National Fire Protection Association (NFPA), and American Society for Testing and Materials International (ASTM). These codes and standards are developed by a consensus of the nation's leading building scientists, fire and life safety officials, home builders, contractors, commercial builders, architects, structural and mechanical engineers, and product manufacturers. These groups include stakeholders from throughout Michigan. These organizations are dedicated to building and life safety and fire prevention, and develop model codes and standards to improve the construction of residential and commercial buildings, including schools.

The citizens and businesses of Michigan currently benefit from the most recent and up-to-date building safety and energy efficiency requirements by modifying the above mentioned codes and standards to address Michigan's industry and construction needs on a three year cycle consistent with the update cycles of U.S. national codes.

**The Impact on Michigan's Construction Code Update Process**

A three-year timeframe protects consumers, helps hold down insurance rates, and makes certain buildings are as safe and cost-effective as possible. The incremental energy savings gained in the last



two three-year update cycles provide significant cost savings to Michigan consumers while allowing a measured implementation of the new requirements.

Supporters of construction code updates consistent with these national model code cycles are the state's largest building groups, including:

- The Greater Michigan Chapter of Associated Builders and Contractors and many homebuilders who focus on energy efficient homes;
- Michigan's fire chiefs and marshals, who are concerned with fire prevention and saving lives; insurance organizations, which know strong codes hold down claims;
- The Michigan Manufacturers Association, which represents innovators who build new home safety and efficiency products; and
- State building inspectors, who protect consumers from unscrupulous builders.

#### **BCAP Partnership with Michigan to Improve Energy Efficiency of Homes and Businesses**

Michigan has displayed an important commitment to the adoption and implementation of updated building energy codes. In 2010 and 2011, BCAP partnered with the United States Department of Energy (DOE) and the Michigan Department of Energy, Labor & Economic Growth (DELEG) – since reorganized as the Department of Licensing of Regulatory Affairs (LARA) – as part of BCAP's Compliance Planning Assistance (CPA) Program.<sup>1</sup> The collaboration yielded two resources aimed at improving the energy efficiency of Michigan's homes and businesses:

- The Michigan Gap Analysis Report<sup>2</sup>, which analyzes the strengths and weaknesses of energy code adoption and implementation in Michigan and recommends potential actions for state agencies, local jurisdictions, and other stakeholders; and
- The Michigan Strategic Compliance Plan<sup>3</sup>, which provides a five-year roadmap for energy code implementation in Michigan and recommends tasks within various focus areas that state agencies, local jurisdictions, and other stakeholders can take to achieve full compliance with the state energy code by 2017. Extending the length of Michigan's code update cycles will impede the state's progress toward the goals of the Strategic Compliance Plan, which are based on state energy code compliance goals established in the American Recovery and Reinvestment Act of 2009 (ARRA) as a condition of accepting State Energy Program (SEP) funding through DOE.<sup>4</sup>

BCAP is also currently partnering with the Michigan Energy Office to develop and disseminate resources on the state's energy code for homeowners and homebuyers as part of BCAP's Consumer Energy Code Awareness Campaign.<sup>5</sup>

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<sup>1</sup> BCAP CPA Program homepage: <http://energycodesocean.org/compliance-planning-assistance-program>

<sup>2</sup> Michigan Gap Analysis Report: <http://energycodesocean.org/resource/michigan-gap-analysis-report>

<sup>3</sup> Michigan Strategic Compliance Plan: <http://energycodesocean.org/resource/michigan-strategic-compliance-plan>

<sup>4</sup> Explanatory Statement on Section 410, Recovery Act: <http://energycodesocean.org/resource/explanatory-statement-sec-410-recovery-act-hr1>

<sup>5</sup> BCAP Energy Code Awareness Campaign homepage: <http://energycodesocean.org/consumers-take-action>